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Notice of Allowability	Application No.	Applicant(s)	
	10/067,753	BRATSLAVSKY ET AL.	
	Examiner	Art Unit	
	Allen C. Ho	2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 10 May 2004.
2. ☒ The allowed claim(s) is/are 1-11, 14, 15 and 17-25.
3. ☒ The drawings filed on 25 February 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>21062004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael P. Sandonato (Reg. No. 35,345) on 21 June 2004.

The application has been amended as follows:

- (1) Claim 7, line 5, "coating" has been deleted.
- (2) Claim 11, lines 6 and 9, "coating" has been deleted.
- (3) Claim 18, line 4, "coating" has been deleted.
- (4) Claim 18, line 13, --adjustably-- has been inserted before "positioned".
- (5) Claim 23, line 4, "coating" has been deleted.
- (6) Claim 24, lines 5 and 7, "coating" has been deleted.
- (7) Claim 24, line 8, "a" had been replaced by --the patient's comfort when the --.
- (8) Claim 25, line 3, "coating" has been deleted.

Allowable Subject Matter

2. Claims 1-11, 14, 15, and 17-25 are allowed.
3. The following is an examiner's statement of reasons for allowance:

With respect to claims 1-6, and 22, the prior art fails to teach or fairly suggest a positioning system for dental x-ray examinations comprising a holder removably bonded to the sheath by a pressure-sensitive adhesive upon application of the holder to the sheath, wherein the pressure-sensitive adhesive enables the holder to be adjustably positioned on the sheath as claimed.

With respect to claims 7-10, and 23, the prior art fails to teach or fairly suggest a method for positioning an electronic dental image sensor comprising affixing a holder having a pressure-sensitive adhesive coating to the sheath to create a removable bond between the holder and the sheath, wherein the pressure-sensitive adhesive enables the holder to be adjustably positioned on the sheath as claimed.

With respect to claims 11, 14, 15, 17, and 24, the prior art fails to teach or fairly suggest a positioning system for dental x-ray examinations comprising a holder removably bonded to the electronic image sensor by a pressure-sensitive adhesive coating upon application of the holder to the electronic image sensor, wherein the pressure-sensitive coating enables the holder to be adjustably positioned on the electronic image sensor as claimed.

With respect to claims 18-21, and 25, the prior art fails to teach or fairly suggest a method for enabling a dental practitioner to position an electronic dental image sensor comprising affixing a holder having a pressure-sensitive adhesive coating to the electronic image sensor to create a removable bond between the holder and the electronic image sensor, wherein the pressure-sensitive adhesive enables the holder to be adjustably positioned on the electronic image sensor as claimed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (571) 272-2491. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached at (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Allen C. Ho
Patent Examiner
Art Unit 2882

ACH


DAVID V. BRUCE
PRIMARY EXAMINER